

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHEASTERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WALGREEN CO.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-cv-17067
)	
WALGREEN HEALTH SOLUTIONS, LLC and)	Hon. Virginia M. Kendall
CHARLES R. WALGREEN,)	
)	
Defendants.)	

**DEFENDANTS' FIRST UNOPPOSED MOTION
TO EXTEND EXPERT DISCOVERY SCHEDULE**

Defendants Walgreen Health Solutions, LLC (“WHS”) and Charles R. Walgreen (collectively, “Defendants”), by their attorneys, O’HAGAN MEYER LLC, hereby file their First Unopposed Motion to Extend Expert Discovery Schedule, and respectfully request the Court to enter an Order extending the expert discovery schedule by approximately one month, including for Expert Rebuttal Reports to be due by March 10, 2025. Plaintiff has informed Defendants that it does not oppose the relief sought in this motion. In support of this motion, Defendants state as follows:

ARGUMENT

1. Fact discovery in this matter was completed by September 20, 2024, per this Court’s August 15, 2025 Order (Dkt. 79).

2. On October 21, 2024, the Court entered an expert discovery schedule that adopted the schedule proposed by the Parties in their joint status report (Dkt. 104). That schedule set a November 22, 2024 deadline for opening expert reports; a January 10, 2025 deadline for expert rebuttal reports, if any; a February 7, 2025 deadline for expert reply reports, if any; and a

February 28, 2025 deadline for the completion of expert depositions. (*Id.*) The Court also set a March 3, 2025 deadline for a joint status report “setting forth the status of expert discovery.” (*Id.*).

3. Plaintiff filed an Amended Complaint repleading Count VII, Plaintiff’s breach-of-contract claim (Dkt. 106). On November 6, 2024, the Court entered a briefing schedule on the Motion to Dismiss setting a deadline of November 20, 2024 for Plaintiff’s response brief and December 4, 2024 for Defendants’ reply brief (Dkt. 114).

4. Due to the briefing schedule and personal circumstances facing Plaintiff’s counsel, Plaintiff sought a four-week extension for expert discovery deadlines (Dkt. 115).

5. This Court granted Plaintiff’s Unopposed Motion to Extend on November 11, 2024, setting revised deadlines of December 20, 2024 for Plaintiff’s Expert Reports and February 10, 2025 for Defendant’s rebuttal report, among other revised deadlines (Dkt. 117).

6. Plaintiff served Defendants with two Expert Reports on December 20, 2024. The first Report contains two surveys and is 130-pages, and the second report is 25 pages.

7. On January 16, 2025, the Court granted Defendant Charles R. Walgreen’s Motion to Dismiss Count VII, with prejudice (Dkt. 123).

8. In light of the extensive nature of Plaintiff’s Reports, and personal circumstances facing counsel, the parties have agreed on a proposal to extend the current expert discovery schedule by approximately one month. The agreed proposed schedule is as follows:

- A. Expert rebuttal reports, if any, shall be due by March 10, 2025;
- B. Expert reply reports, if any, shall be due by April 10, 2025;
- C. Expert depositions shall conclude by April 30, 2025.

9. The parties further propose the following schedule for dispositive motions, following the end of expert discovery:

- A. Dispositive motions, if any, shall be due by May 30, 2025;
- B. Response briefs, if any, shall be due by June 27, 2025;
- C. Reply briefs, if any, shall be due by July 25, 2025.

CONCLUSION

For the foregoing reasons, Defendants respectfully request that this Court grant their First Unopposed Motion to Extend Expert Discovery Schedule.

Dated: January 24, 2025

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Respectfully submitted,

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By: /s/ Clarissa K. Pintado
Counsel for Defendants,
Walgreen Health Solutions and
Charles R. Walgreen

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the January 24, 2025, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system.

/s/ Clarissa K Pintado

Counsel for Defendants,
Walgreen Health Solutions and
Charles R. Walgreen